



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

In re: patent application of )  
Reichwein, Dietrich and Peters, Olaf )  
Device and Method for Determining Biological )  
Information and for Controlling )  
Biological Systems )  
Serial No. 09/831,613 )  
Filed May 10, 2001 )  
Our File No. 11004/005 )

Examiner

Group Art Unit 1743

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JUL 11 2001  
TC 1743  
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11/17/01*

**DISCLOSURE OF PRIOR ART UNDER 37 C.F.R. § 1.56**

Commissioner of Patents  
U.S. Patent and Trademark Office  
Washington, D.C. 20231

Sir:

In connection with the examination of the above-identified application, the applicants, through the subscribing attorney, hereby invite the Examiner's attention to the enclosed list of prior art. Documents AT 000050; EP 0885628; WO 9503850; Abstract of CN 1095629; and Abstract of JP 2081404 were cited in the International Search Report. The remaining documents were cited in the Examination Report of the priority application DE 10005906.6.

While the attached list of prior art is believed to include the closest prior art of which the applicant is presently aware, the applicant does not represent that any search for prior art has

necessarily been made nor that no better prior art exists. For the convenience of the Examiner, a copy of each piece of prior art listed is attached hereto.

Respectfully submitted,



A. James Richardson  
Reg. No. 26,983

BRINKS HOFER GILSON & LIONE  
One Indiana Square, Suite 2425  
Indianapolis, Indiana 46204-2033  
Telephone: (317) 636-0886  
Fax: (317) 634-6701

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I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, Postage Prepaid, in an envelope addressed to: Assistant Commissioner of Patents, U.S. Patent and Trademark Office, Washington, D.C. 20231, dated July 5, 2001.



A. James Richardson  
Registration No. 26,983



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| FORM PTO-1449   | SERIAL NO.<br>09/831,613                           | CASE NO.<br>11004/005  |
| LIST OF PATENTS AND PUBLICATIONS FOR<br>APPLICANT'S INFORMATION DISCLOSURE<br>STATEMENT | FILING DATE<br>May 10, 2001                        | GROUP ART UNIT<br>1743 |
| (use several sheets if necessary)   | APPLICANT(S): Reichwein, Dietrich and Peters, Olaf |                        |

| EXAMINER INITIAL | DOCUMENT NUMBER | DATE | NAME        |
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|                  |                 |      | RCS         |
|                  |                 |      | JUL 11 2001 |
|                  |                 |      | TC YRC      |
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| EXAMINER INITIAL | DOCUMENT NUMBER | DATE       | COUNTRY | TRANSLATION YES | TRANSLATION NO |
|------------------|-----------------|------------|---------|-----------------|----------------|
| A1               | AT 000 050 U1   | 10/27/1992 | AT      |                 | X              |
| A2               | EP 0885628 A2   | 06/12/1998 | EP      | X Abst          |                |
| A3               | PCT/US93/00049  | 02/09/1995 | WIPo    | X               |                |
| A4               | CN 1095629 A    | 12/31/2000 | CN      | X Abst          |                |
| A5               | JP 2081404      | 03/22/1990 | JP      | X Abst          |                |
|                  |                 |            |         | O               |                |

WO 95/03850

| EXAMINER INITIAL | OTHER ART (Including Author, Title, Date, Pertinent Pages, etc.)  |  |
|------------------|---|--|
| A6               | D. Bhaumik, K. Bhaumik & B. Dutta-Roy. "On the Possibility of 'Bose Condensation' in the Excitation of Coherent Modes in Biological Systems." <i>Physics Letters</i> March 8, 1976, 56A, No. 2: 145-148.        |  |
| A7               | Pohl, Herbert A. "Cells in a Reproductive State Exhibit a Fermi-Pasta-Ulam-Froehlich Resonance and Emit Electromagnetic Radiation." <i>Journal of Biological Physics</i> (1980), 8, 45-75, in CA, AN 94: 78905. |  |

| EXAMINER | DATE CONSIDERED |
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|          |                 |

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Rev. Dec.-99

\Bhglindy\clients\Reichwein & Peters (11004)\005 US patent application corresponding to PCT-EP00-10145 APPARATUS AND METHODS FOR ACQUIRING BIOLOGICAL INFORMATION AND FOR CONTROLLING BIOLOGICAL SYSTEMS\IDS Form.doc